

REMARKS

Claims 1, 9, and 13-14 have been amended to clarify the subject matter regarded as the invention. Claims 58-79 are new. Claims 1-4, 6-7, 9-11, 13-14, and 58-79 are pending.

New Ground of Rejection

The Examiner has rejected claims “1-14” under 35 U.S.C. 101. Claim 1 has been amended to recite verifying the license string “using a processor.” This ties the method to step to another statutory class. Additionally, having a processor verify the license string is not an “extra-solution activity.” Therefore, claim 1 has been amended to overcome the rejection. Claims 2-4, 6-7, 9-11, and 13-14 depend from claim 1.

Prior Grounds of Rejection

The Examiner maintains the rejections of claims 1-4, 6-7, 9-11, and 13-14 under 35 U.S.C. 103. However, the combination of Barber, Griswold, and Ross does not disclose a “license string being generated using a cryptographic process by encoding data that includes date information corresponding to at least one of: a date of creation of the product; a date of a request for the product; and a date of generation of the license string;” and “verifying the license string including by: decoding the license string to identify the information; and determining that the date information is within a valid range,” as recited in claim 1.

Barber teaches allowing licenses for a computer program to be available for use at each of a plurality of nodes of a network. The license of Barber includes an encoding of a “UID” but does not include encoded date information. Col 10, lines 3-6 of Barber recites “The license manager 25A then decrypts the UID contained in the license file 22 for the license 27 and compares it to the UID for such license 27 that was received for the operating system 15.” An expiration date of Barber’s license is stored in a license file separate from the license as shown in Figure 2B of Barber. The license file is not generated using a cryptographic process. Hence,

Barber does not teach a license string being generated using a cryptographic process by encoding data that includes date information. In addition, the Examiner has acknowledged that Barber does not explicitly disclose encoding date information in the license of Barber.

In reference to Barber, Page 5 of the Examiner's Answer asserts, "Obviously, in determining by date whether the license is valid, the date of creation of the license, length of license validity and expiration date of license are determined and thus a range of dates is determined." However, it is undisputed that Barber teaches encoding a "UID" using a cryptographic process and using a separate license file that is not described as being encoded using a cryptographic process to store an expiration date of the license, and does not teach or suggest encoding date information "in a license string being generated using a cryptographic process" as recited in claim 1.

Griswold describes a license management system that records the use of a licensed product and controls its use in accordance with the terms of the license. The license of Griswold includes a license datagram including an encoded product model number, but the license datagram does not include date information. A termination date associated with the license is stored in a license database separate from the license datagram. Page 12 of the Examiner's Answer recites, "Griswold provides motivation by indicating that the types of information within the license database may require other types than specifically shown." Griswold suggests motivation for storing other types of information in a record of the license database, but the license database record is not "a license string being generated using a cryptographic process" as recited in claim 1. The license datagram of Griswold includes a product model number associated with a product model number stored in a license database record, but the license datagram does not include all information stored in the associated license database record. For example, even though a license termination date is stored in the associated license database record, the license termination date is not included in the license datagram (Griswold, Figure 2). Hence inclusion of data in the license database record does not suggest inclusion in the license datagram. Therefore, Griswold does not teach or suggest a license string being generated using a cryptographic process by encoding data that includes date information.

Ross teaches electronic management and enforcement of software licenses that can be used in a network or non-network environment to facilitate product licensing and upgrades. Ross

does not teach or suggest a license string being generated using a cryptographic process by encoding data that includes date information.

Therefore, Barber, Griswold, and Ross do not teach, either singularly or in combination, every limitation of claim 1. Claims 2-4, 6-7, 9-11, and 13-14 depend from claim 1. Thus claims 1-4, 6-7, 9-11, and 13-14 are believed to be allowable.

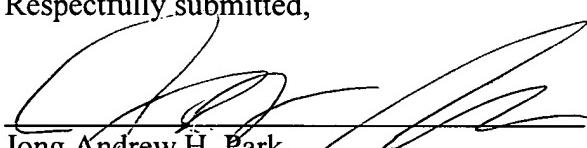
New claims 58-68 recite systems for carrying out the methods of claims 1-4, 6-7, 9-11, and 13-14 respectively. Therefore, it is believed that claims 58-68 are also allowable.

New claims 69-79 recite program code for carrying out the methods of claims 1-4, 6-7, 9-11, and 13-14 respectively. Therefore, it is believed that claims 69-79 are also allowable.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Dated: 2/4/09

Respectfully submitted,



Jong Andrew H. Park
Registration No. 56,917
X 408-973-2577
F 408-973-2595

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014